

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----x
MARVIN SANDERS,

Plaintiff, :

-against- :

NEW YORK CITY DEPARTMENT OF
CORRECTIONS et al., :

Defendants. :

-----x
MICHAEL H. DOLINGER
UNITED STATES MAGISTRATE JUDGE:

MEMORANDUM & ORDER

07 Civ. 3370 (SHS) (MHD)

RECEIVED
U.S. DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
JULY 1 2008
CLERK'S OFFICE
5/20/08

The pro se plaintiff, formerly an inmate in the New York City correctional system, has applied by letter for appointment of an attorney to represent him in this lawsuit under 42 U.S.C. § 1983 against a number of prison officials and employees for allegedly failing to protect him from an assault by a fellow inmate. (See May 30, 2007 letter to the Court from Marvin Sanders). We have reviewed a transcript of the deposition of plaintiff and conclude that there is sufficient possible merit to his claim, at least with respect to one of the defendants -- a Captain Lockhard -- to justify a finding that plaintiff is eligible for appointment of counsel. Nonetheless, we recognize that plaintiff has not filled out the required form application, and he must do so. Hence he is to obtain the form from the Office of the Pro Se Clerk in this court, fill it out and file it here, and this must be done by no later than July 7, 2008.

Upon receipt of the formal application, we will refer this case to the Pro Se Clerk for assignment of an attorney.

Dated: New York, New York
June 20, 2008



MICHAEL H. DOLINGER
UNITED STATES MAGISTRATE JUDGE

Copies of the foregoing Memorandum and Order have been mailed to:

Mr. Marvin Sanders
BASICS
1064 Franklin Avenue
Bronx, New York 10456

Mr. Marvin Sanders
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